

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
GREENVILLE DIVISION**

UNITED STATES OF AMERICA,  
STATE OF GEORGIA, AND STATE OF  
COLORADO

Plaintiffs,

*ex rel.* KAREN MATHEWSON

Plaintiff-Relator

v.

PREMIER MEDICAL, INC., KEVIN  
MURDOCK, MICHAEL CONROY,  
AND DAKOTA WHITE

Defendants

C.A. No. 6:18-cv-00165-TMC

**FILED EX PARTE AND  
UNDER SEAL**

**JOINT NOTICE OF PARTIAL INTERVENTION**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4) and (2), the Georgia State False Medicaid Claims Act, O.C.G.A. §§ 49-4-168.2(c)(2), and the Colorado Medicaid False Claims Act, C.R.S. 25.5-4-306(2)(b), the United States hereby notifies the Court of the United States', the State of Georgia's and the State of Colorado's decision to partially intervene and proceed in this action. The United States requests one hundred and twenty (120) days to file a Joint Complaint in Intervention.

**I. Intervention**

The United States and the States intervene in the action alleging that defendants Premier Medical, Inc., Kevin Murdock, and Michael Conroy violated the Anti-Kickback Statute (the "AKS"), 42 U.S.C. § 1320a-7b and the False Claims Act ("FCA"), 31 U.S.C. §§ 3729–3733, by submitting claims for laboratory services tainted by illegal kickbacks. The United States and the

States also intervene in the part of the action alleging that Premier submitted claims to federal healthcare programs for services that were not rendered. The United States and the States decline to intervene against Defendant Dakota White, although Plaintiffs may seek intervention for good cause, pursuant to 31 U.S.C. §3730(c)(3), at a later date. The State of Georgia is not intervening against defendants pursuant to the Georgia Taxpayer Protection False Claims Act, and notes that it will be moving to dismiss these counts because Relator did not obtain written approval by the Attorney General according to O.C.G.A. § 23-3-122(b)(1).

## **II. Seal**

The United States requests that the relator's Complaint (ECF No. 1), First Amended Complaint (ECF No. 6), Second Amended Complaint (ECF No. 49), and this Notice, be unsealed. The United States requests that all other papers on file in these actions remain under seal because, in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this notice.

Respectfully submitted,

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*Pro Hac Vice Application Forthcoming*

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*Pro Hac Vice Application Forthcoming*

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